

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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HAWAII PROVIDERS NETWORK, INC., Plaintiff-Appellant

vs.

AIG HAWAII INSURANCE COMPANY, INC.; ALLSTATE INSURANCE CO.; ALLSTATE INDEMNITY CO.; AMERICAN AUTOMOBILE INSURANCE COMPANY; AMERICAN INSURANCE COMPANY; ASSOCIATED INDEMNITY CORP.; BUDGET RENT-A-CAR SYSTEMS, INC.; DAI-TOKYO ROYAL STATE INSURANCE COMPANY, LIMITED; FIREMAN'S FUND INSURANCE COMPANY OF HAWAII, INC.; FIRST INDEMNITY INSURANCE OF HAWAII, INC.; FIRST INSURANCE COMPANY OF HAWAII, LTD.; GEICO INDEMNITY CO.; GEICO CASUALTY CO.; GOVERNMENT EMPLOYEES INSURANCE COMPANY; HARTFORD ACCIDENT AND INDEMNITY COMPANY; THE HAWAIIAN INSURANCE AND GUARANTY COMPANY, LIMITED; ISLAND INSURANCE COMPANY, LTD.; LIBERTY MUTUAL FIRE INSURANCE COMPANY; LIBERTY MUTUAL INSURANCE CO.; NATIONAL SURETY CORP.; PROGRESSIVE CASUALTY INSURANCE COMPANY; PROGRESSIVE HAWAII INSURANCE CORP.; PROGRESSIVE NORTHERN INSURANCE COMPANY; PROGRESSIVE NORTHWESTERN INSURANCE COMPANY; PROGRESSIVE SPECIALTY INSURANCE COMPANY; ROYAL INSURANCE COMPANY OF AMERICA; STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.; TIG INSURANCE COMPANY; TIG PREMIER INSURANCE COMPANY; TOKIO MARINE AND FIRE INSURANCE CO., LTD.; TRADEWIND INSURANCE COMPANY; TRAVELERS INSURANCE CO.; USAA CASUALTY INSURANCE CO.; Defendants-Appellees

and

STATE NATIONAL INSURANCE COMPANY; RLI INSURANCE CO.; STAR INSURANCE CO; TRADEWINDS U-DRIVE, INC.; JOHN and JANE DOES 1-10; DOE CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10 and DOE ENTITIES 1-10, Defendants

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NO. 23790

APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 99-4269)

OCTOBER 5, 2004

ORDER OF AMENDMENT

MOON, C.J., LEVINSON, NAKAYAMA, ACOBA, AND DUFFY, JJ.

The opinion of the court, filed on August 26, 2004, is amended as follows (deletions are bracketed and additions are double underscored):

**Line 8 from the bottom of page 23:** correctly enforced the schedule in HAR Title 12, chapter 15 as of January 1, 1996.

**Lines 8-11 from the top of page 24:** vehicle insurance rates." Id. Under the circumstances, [and because the commissioner's memorandum directed insurers to apply] Title 12 chapter 15[, this fee schedule] was properly applied by insurers as of January 1, 1996..

The Clerk of the Court is directed to incorporate the foregoing changes in the original opinion and take all necessary steps to notify the publishing agencies of these changes.